



AF  
JFW

Docket No.: C041473/0124196

REPLY UNDER  
37 CFR § 1.116  
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EXPEDITED PROCEDURE  
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TECHNOLOGY CENTER 1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*In re* Application of: )  
Ross A. Caputo et al. ) Examiner: Monzer R. Chorbaji  
Serial No.: 09/901,389 ) Art Unit: 1744  
Filed: July 9, 2001 )  
For: **APPARATUS FOR TESTING** )  
**STERILIZATION METHODS AND** )  
**MATERIALS** )

January 12, 2006

**RESPONSE TO OFFICE ACTION UNDER 37 CFR § 1.116**  
**INCLUDING AMENDMENT**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Final Office Action mailed October 19, 2005, which set a three-month shortened statutory period for response. Accordingly, this response is filed timely upon mailing, with an executed certificate of mailing, on or

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Amendment Dated: January 12, 2006

Reply to Office Action Dated: October 19, 2005

before January 19, 2006. 37 CFR § 1.8. No fee is believed to be due. If it is determined that a fee is due, please charge such fee to Deposit Account No. 02-4467. A duplicate copy of this page 2 is enclosed.

Because the Office Action made the rejection of the pending claim final, consideration of this response pursuant to the expedited procedure for response after final rejection set forth in MPEP § 714.13 (8<sup>th</sup> Ed., Rev. 3, Aug. 2005, pp. 700-239 to 700-240) respectfully is solicited.

Please amend the application as follows:

**AMENDMENTS TO THE SPECIFICATION:** None.

**AMENDMENTS TO THE CLAIMS** are reflected in the listing of claims, which begins on page 3 of this paper.

**REMARKS** begin on page 20 of this paper.